

State of Arkansas
88th General Assembly
Regular Session, 2011

As Engrossed: H3/16/11

A Bill

HOUSE BILL 1936

By: Representative T. Steele

For An Act To Be Entitled

AN ACT TO REQUIRE SCHOOL DISTRICTS TO PROHIBIT THE
WEARING OF CLOTHING THAT EXPOSES UNDERWEAR, BUTTOCKS,
OR THE BREAST OF A FEMALE; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE SCHOOL DISTRICTS TO PROHIBIT
THE WEARING OF CLOTHING THAT EXPOSES
UNDERWEAR, BUTTOCKS, OR THE BREAST OF A
FEMALE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Legislative intent.

(a) The General Assembly finds that the wearing of clothing that exposes underwear, buttocks, or the breast of a female by students in the public schools often preoccupies and distracts students from their major purpose for being in school, that of becoming educated in math, science, English, history, and other subjects.

(b) The General Assembly further finds that student competition over the manner in which clothing is worn could lead to violence and injuries during school hours.

(c) The General Assembly further finds that, as part of their preparation for students to enter the workforce, public schools should encourage and train students to dress in a manner that would be acceptable in the workplace.

(d) The General Assembly finds that prohibiting students from wearing, while on the grounds of a public school during the regular school day and at

school-sponsored activities and events, clothing that exposes underwear, buttocks, or the breast of a female will prevent disruptions in the learning environment, advance the education of students, enhance the preparation of students to enter the workforce, and make disruptive incidents of violence less likely to occur.

SECTION 2. Arkansas Code § 6-18-503 is amended to read as follows:

6-18-503. Written student discipline policies required.

(a)(1)(A) Each school district in this state shall develop written student discipline policies in compliance with the guidelines established by the Department of Education and shall file such policies with the department.

(B) Guidelines shall include minimum standards of quality, experimentation with innovative programs, and a system to judge the effectiveness of the program.

(C) The discipline policy shall include provisions for:

(i) Placement of a student with disciplinary, socially dysfunctional, or behavioral problems not associated with a handicapping condition in an alternative learning environment provided by the district; and

(ii) Expulsion from school for a period of not less than one (1) year for possession of any firearm or other weapon prohibited upon the school campus by law; provided, however, that the superintendent shall have discretion to modify such expulsion requirement for a student on a case-by-case basis.

(2) Behavioral problems shall include those at risk of not satisfactorily completing a high school education.

(b)(1) A school district that authorizes use of corporal punishment in its discipline policy shall include provisions for administration of the punishment, including that it be administered only for cause, be reasonable, follow warnings that the misbehavior will not be tolerated, and be administered by a teacher or a school administrator and only in the presence of a school administrator or his or her designee, who shall be a teacher or administrator employed by the school district.

(2) As used in this section, "teachers and administrators" means those persons employed by a school district and required to have a state-issued certificate as a condition of their employment.

(c)(1) A school district shall include in its student discipline policies a provision prohibiting students from wearing, while on the grounds of a public school during the regular school day and at school-sponsored activities and events, clothing that exposes underwear, buttocks, or the breast of a female.

(2) Subdivision (c)(1) of this section shall not apply to a costume or uniform worn by a student while participating in a school-sponsored activity or event.

(3) A school district shall specify in its student discipline policies the disciplinary actions that will be taken against a student for a violation of subsection (c)(1) of this section.

(4) Subsection (c)(1) of this section shall not be enforced in a manner that discriminates against a student on the basis of his or her race, color, religion, sex, disability, or national origin.

~~(e)~~(d) Any amendments or revisions to a school district's student discipline policies shall be developed and adopted in the same manner as the original policies required by § 6-18-502 and shall be consistent with the guidelines established by the department.

~~(d)~~(e) Any amendment or revision to the student discipline policies adopted by a school district shall be submitted to the department within thirty (30) days after the adoption of such amendment or revision.

/s/T. Steele

APPROVED: 03/30/2011